

## **LAW OFFICE OF BART J. KLEIN**

2066 Millburn Avenue, Suite 101  
Maplewood, New Jersey 07040

Phone: 973-763-6060  
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website: [www.bartjkleinlaw.com](http://www.bartjkleinlaw.com)

Bart J. Klein\*  
Julian I. Helisek\*  
\*Admitted NJ and NY Bars

January 9, 2020

Honorable Michael B. Kaplan, U.S.B.J.  
United States Bankruptcy Court  
402 East State Street  
Trenton, New Jersey 08608

**Re: Hollister Construction Services, LLC**  
**Case No. 19-27439 (MBK)**

Dear Judge Kaplan:

This letter is submitted with reference to Debtor's Motion Determining that Certain Creditor's Have Violated the Automatic Stay, that Certain Asserted Liens Filed Post-Petition are Void Ab Initio, and Granting Related Relief (Docket Nos. 692 and 730 hereinafter the "Motion").

Pursuant to the oral argument on January 2, 2020 with respect to Debtor's Motion, Midway Glass & Metal Installers, Inc. ("Midway"), one of the respondents, discharged its construction lien on January 3, 2020. As set forth during oral argument, another creditor filing post-petition liens, Bender Enterprises ("Bender") apparently promised counsel beforehand that it would discharge its own lien by January 3, 2020 and was given the opportunity by counsel for the Debtor of avoiding the imposition of counsel's fees.

During oral argument I asked counsel for the Debtor and the Court to extend the same treatment to Midway as it extended to Bender. Although counsel refused to exempt Midway, the Court modified the proposed Order to indicate that counsel's fees against Midway and Multi Roof Maintenance, LLC would be under consideration rather than formally granted pursuant to the approved Order.

The attached Certification of Paula LaChance sets forth that Midway did not receive the demand letter referenced in Mr. McDermott's Certification, or the motion papers. Moreover, Midway filed its discharge as quickly as Bender. Copies of the recorded discharge were furnished to counsel for the Debtor on January 7 and 8, 2020, as set forth in the Certification of Bart Klein ("Cert. Klein"), Exhibits A & B.

Honorable Michael B. Kaplan, U.S.B.J.  
January 9, 2020  
Page 2

In light of Midway's non-receipt of the motion and its compliance with the discharge, I respectfully ask the Court not to award counsel's fees against Midway. I was in Court the entire time counsel appeared on behalf of the Debtor on January 2, 2020. To the extent the Court chooses to award counsel's fees against Midway, I ask that counsel's time in the courtroom be apportioned between the instant Motion (Docket No. 692) and the other matters pertaining to the Hollister hearing argument of January 2, 2020. See agenda annexed as Exhibit C to Cert. Klein.

Respectfully submitted,



Bart J. Klein

BJK/jpm  
Enclosures

BART J. KLEIN (ID # 016921979)  
Law Office of Bart J. Klein  
2066 Millburn Avenue, Suite 101  
Maplewood, New Jersey 07040  
(973) 763-6060  
Attorneys for Midway Glass & Metal Installers, Inc.

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

---

In re:	Chapter 11
HOLLISTER CONSTRUCTION SERVICES, LLC,	Case No. 19-27439 (MBK)
Debtor	Re: Docket No. 730

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**CERTIFICATION OF  
PAULA LA CHANCE**

PAULA LA CHANCE, hereby certifies as follows:

1. I am the Office Manager of Midway Glass & Metal Installers, Inc. ("Midway"). I submit this Certification in opposition to the application for counsels fees and costs directed against Midway.
2. As Officer Manager, all mail is directed to me. The correct mailing address for Midway is 526 Route 17 South, Carlstadt, New Jersey 07072.
3. At no time did I receive a letter on behalf of Hollister requesting that the discharge of the construction lien be filed. Moreover, at no time did we receive a copy of Debtor's Motion Determining that Certain Creditor's Have Violated the Automatic Stay, that Certain Asserted Liens Filed Post-Petition are Void Ab Initio, and Granting Related Relief (Docket No. 730).
4. After notice from our counsel in an unrelated matter, on New Year's Eve, we became aware of the motion. Accordingly, we arranged for filing of the discharge on January 3, 2020. A true copy of the discharge with recording information is annexed hereto as Exhibit A.

5. I am advised that another creditor filing a post-petition lien, Bender Enterprises, has been exempted from imposition of counsels fees and costs.

6. In light of the prompt compliance by Midway on discovery of the motion, I respectfully ask the Court to exempt Midway from the imposition of attorneys fees and costs as requested by the counsel for the Debtor.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the statements are willfully false, I am subject to punishment.

Dated: January 8, 2020

Paula LaChance  
Paula LaChance

## **EXHIBIT A**

## DISCHARGE OF CONSTRUCTION LIEN CLAIM

To the Clerk, County of Mercer

1 The Claimant, whose name is Midway Glass & Metal Installers Inc.  
and whose address is 526 Route 17 South, Carlstadt, NJ 07072  
filed a Construction Lien Claim against the below stated real property owned by  
Mercedes-Benz USA LLC  
for the value of work, services, materials or equipment provided in accordance with a  
contract between the Claimant and  
Hollister Construction Services LLC

2 The property is described as  
100 New Canton Way, Robbinsville, NJ 08691  
Block 41 Lot 35  
on the Tax Map of the Township of Robbinsville County of Mercer  
State of New Jersey.

3 The lien claim was filed on 09/19/19 as Inst No. 2019040587  
G Book 62 Page 849

4 A Notice of Unpaid Balance and Right to File a Lien (if any) was filed as  
No. n/a Book n/a Page n/a

5 Amendments to the original claim were recorded in Book n/a Page n/a

6 I hereby request and authorize the Construction Lien to be Discharged.

Date: 1/2/20

Signed:

Joseph Marshall, President of  
Midway Glass & Metal Installers Inc.

Note: This form must be signed by the Claimant, Claimant's successor in interest, or the Attorney for the Claimant.

### Acknowledgment

State of New Jersey, County of Bergen

I certify that on 1/2/20

Joseph Marshall, President of Midway Glass & Metal Installers Inc.

personally came before me and stated to my satisfaction that this person

a. was the maker of this instrument,

b. was authorized to and did execute this instrument as

of Midway Glass & Metal Installers Inc.

c. executed this instrument as the act of the entity

President

the entity named in this instrument and

#### Record and Return To

Midway Glass & Metal Installers Inc.

PO Box 1117

Kearny, NJ 07032

Paula LaChance  
Notary

PAULA LACHANCE

ID # 2404740

NOTARY PUBLIC

STATE OF NEW JERSEY

My Commission Expires February 28, 2021



Search Criteria: Party Name: "MIDWAY GLASS METAL INSTALLERS INC"

Search Results: 2 Records - VERIFIED AS OF 12-31-2019

Print Results

Name	Cross Name	Date	Type	Book	Page	Instr#	Town	Lot	Block	Book Type	#Pages	Status	Legal
* MIDWAY GLASS & METAL I...	MERCEDES-BENZ USA	9/19/2019	CLC	62	849	2019040587				G	4	IV	
MIDWAY GLASS & METAL I...	MERCEDES-BENZ USA	1/3/2020	DLC	62	925	2020000383				G	2	V	
End of List													

Records In Color: Not Verified Record, Replaced Record, Correction Record  
 Press [F2] to See Detail. Press [F5] to See Image. Press [F12] to Mark Document for Printing. Press [F3] to See The Print Queue

BART J. KLEIN (ID # 016921979)  
Law Office of Bart J. Klein  
2066 Millburn Avenue, Suite 101  
Maplewood, New Jersey 07040  
(973) 763-6060  
Attorneys for Midway Glass & Metal Installers, Inc.

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

---

In re:	Chapter 11
HOLLISTER CONSTRUCTION SERVICES, LLC,	Case No. 19-27439 (MBK)
Debtor	Re: Docket No. 730

---

**CERTIFICATION OF  
BART J. KLEIN**

I, BART J. KLEIN, hereby certifies as follows:

1. I am the attorney for Midway Glass & Metal Installers, Inc. ("Midway").  
I submit this Certification on behalf of Midway.
2. Attached herewith as Exhibit A is a true copy of my letter to Bruce Buechler, Esq. dated January 7, 2020 enclosing a copy of the discharge of lien and recording information of the discharge of lien which was filed on January 3, 2020.
3. Attached herewith as Exhibit B is a true copy of my letter dated January 8, 2020 to Bruce Buechler, Esq. enclosing a true copy of the discharge of lien as recorded on January 3, 2020.
4. Attached herewith as Exhibit C is a true copy of the agenda for the Court's hearing in the above-captioned matter on January 2, 2020.

I hereby certify that the foregoing statements made by me are true.  
I am aware that if any of the statements are willfully false, I am subject to punishment.

Dated: January 9, 2020

  
Bart J. Klein



## **EXHIBIT A**

## LAW OFFICE OF BART J. KLEIN

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Bart J. Klein\*  
Julian I. Helisek\*  
\*Admitted NJ and NY Bars

January 7, 2020

Via email [bbuechler@lowenstein.com](mailto:bbuechler@lowenstein.com)  
Bruce Buechler, Esq.  
Lowenstein Sandler LLP  
One Lowenstein Drive  
Roseland, New Jersey 07068

In re: Hollister Construction Services, LLC  
Case No.: 19-27439 (MBK)

Dear Mr. Buechler:

As discussed, Midway Glass & Metal Installers, Inc. has filed a discharge of its construction lien with respect to the Princeton Mercedes Benz project. I attach a print out of the on-line page showing that the discharge was recorded on January 3, 2020 (last Friday). While I do not yet have a copy of the discharge stamped filed, I attach a copy of the discharge as it existed immediately prior to the filing.

I will get you a copy of the filed discharge as soon as possible.

Respectfully submitted,

  
Bart Klein

BJK/jpm  
Enclosure  
cc: Midway Glass & Metal Installers, Inc.

Search Criteria:

Party Name: "MIDWAY GLASS METAL INSTALLERS INC"

Search Results: 2 Records - VERIFIED AS OF 12-31-2019

Print Results

Name	Cross Name	Date	Type	Book	Page	Instr#	Town	Lot	Block	Book Type	#Pages	Status	Legal
* MIDWAY GLASS & METAL I...	MERCEDES-BENZ USA	9/19/2019	CLC	62	849	2019040887				G	4	V	
MIDWAY GLASS & METAL I...	MERCEDES-BENZ USA	1/3/2020	DLC	62	925	2020000383				G	2	V	
End of List													

Records In Color: Not Verified Record, Replaced Record, Correction Record  
 Press [F2] to See Detail. Press [F5] to See Image. Press [F12] to Mark Document for Printing. Press [F3] to See The Print Queue

## DISCHARGE OF CONSTRUCTION LIEN CLAIM

To the Clerk, County of Mercer

- 1 The Claimant, whose name is Midway Glass & Metal Installers Inc.  
and whose address is 526 Route 17 South, Carlstadt, NJ 07072  
filed a Construction Lien Claim against the below stated real property owned by  
Mercedes-Benz USA LLC  
for the value of work, services, materials or equipment provided in accordance with a  
contract between the Claimant and  
Hollister Construction Services LLC
- 2 The property is described as  
100 New Canton Way, Robbinsville, NJ 08691  
Block 41 Lot 35  
on the Tax Map of the Township of Robbinsville County of Mercer  
State of New Jersey.
- 3 The lien claim was filed on 09/19/19 as Inst No. 2019040587  
G Book 62 Page 849
- 4 A Notice of Unpaid Balance and Right to File a Lien (if any) was filed as  
No. n/a Book n/a Page n/a
- 5 Amendments to the original claim were recorded in Book n/a Page n/a
- 6 I hereby request and authorize the Construction Lien to be Discharged.

Date: 1/2/20

Signed:

Joseph Marshall, President of  
Midway Glass & Metal Installers Inc.

Note: This form must be signed by the Claimant, Claimant's successor in interest, or the Attorney for the Claimant.

### Acknowledgment

State of New Jersey, County of Bergen

I certify that on 1/2/20

Joseph Marshall, President of Midway Glass & Metal Installers Inc.

personally came before me and stated to my satisfaction that this person

a. was the maker of this instrument,

b. was authorized to and did execute this instrument as  
of Midway Glass & Metal Installers Inc.

c. executed this instrument as the act of the entity

President  
the entity named in this instrument and

**Record and Return To**  
**Midway Glass & Metal Installers Inc.**  
**PO Box 1117**  
**Kearny, NJ 07032**

*Paula LaChance*  
Notary

**PAULA LACHANCE**  
ID # 2404740  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
My Commission Expires February 28, 2021

## **EXHIBIT B**

## LAW OFFICE OF BART J. KLEIN

2066 Millburn Avenue, Suite 101  
Maplewood, New Jersey 07040

Phone: 973-763-6060  
Fax: 973-763-6090

website: [www.bartkleinlaw.com](http://www.bartkleinlaw.com)

Bart J. Klein\*  
Julian I. Helisek\*  
\*Admitted NJ and NY Bars

January 8, 2020

Via email [bbuechler@lowenstein.com](mailto:bbuechler@lowenstein.com)  
Bruce Buechler, Esq.  
Lowenstein Sandler LLP  
One Lowenstein Drive  
Roseland, New Jersey 07068

In re: Hollister Construction Services, LLC  
Case No.: 19-27439 (MBK)

Dear Mr. Buechler:

As promised, I hereby attach a copy of the filed Discharge of Construction Lien Claim previously filed by Midway Glass & Metal Installers, Inc.

Respectfully submitted,



Bart Klein

BJK/jpm  
Enclosure  
cc: Midway Glass & Metal Installers, Inc.



INSTR # 2020000383  
G BK 62 PG 925 Pas 925 - 926; (2 pgs)  
RECORDED 01/03/2020 10:46:27 AM  
PAULA SOLLAMI COVELLO, COUNTY CLERK  
MERCER COUNTY, NEW JERSEY



## Mercer County Document Summary Sheet

Mercer County Clerk  
PO Box 8068  
209 South Broad Street  
Trenton, NJ 08650

Return Name and Address  
Midway Glass & Metal Installers Inc.  
P.O. Box 1117  
Kearny, NJ 07032

Official Use Only

Submitting Company		Midway Glass & Metal Installers Inc.			
Document Date (mm/dd/yyyy)		01/02/2020			
Document Type		Discharge of Construction Lien Claim			
No. of Pages of the Original Signed Document (Including the cover sheet)		2			
Consideration Amount (If applicable)		\$3.00			
First Party (Grantor or Mortgagor or Assignor) (Enter up to five names)	Name(s) (Last Name First Name Middle Initial Suffix) (or Company Name as written)	Address (Optional)			
	Mercedes-Benz USA LLC				
Second Party (Grantee or Mortgagee or Assignee) (Enter up to five names)	Name(s) (Last Name First Name Middle Initial Suffix) (or Company Name as written)	Address (Optional)			
	Midway Glass & Metal Installers Inc.				
Parcel Information (Enter up to three entries)	Municipality	Block	Lot	Qualifier	Property Address
	Township of Robinsville	41	35		100 New Canton Way Robinsville, NJ 08691
Reference Information (Enter up to three entries)	Book Type	Book	Beginning Page	Instrument No.	Recorded/File Date
	G BK	62	849	2019040587	09/19/2019

\*DO NOT REMOVE THIS PAGE.

DOCUMENT SUMMARY SHEET (COVER SHEET) IS PART OF MERCER COUNTY FILING RECORD. RETAIN THIS PAGE FOR FUTURE REFERENCE.

3.00 # 8352

## DISCHARGE OF CONSTRUCTION LIEN CLAIM

To the Clerk, County of Mercer

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and whose address is 526 Route 17 South, Carlstadt, NJ 07072  
filed a Construction Lien Claim against the below stated real property owned by  
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for the value of work, services, materials or equipment provided in accordance with a  
contract between the Claimant and  
Hollister Construction Services LLC
- 2 The property is described as  
100 New Canton Way, Robbinsville, NJ 08691  
Block 41 Lot 35  
on the Tax Map of the Township of Robbinsville County of Mercer  
State of New Jersey.
- 3 The lien claim was filed on 09/19/19 as Inst No. 2019040587  
G Book 62 Page 849
- 4 A Notice of Unpaid Balance and Right to File a Lien (if any) was filed as  
No. n/a Book n/a Page n/a
- 5 Amendments to the original claim were recorded in Book n/a Page n/a
- 6 I hereby request and authorize the **Construction Lien** to be **Discharged**.

Date:

1/2/20

Signed:

Joseph Marshall, President of  
Midway Glass & Metal Installers Inc.

Note: This form must be signed by the Claimant, Claimant's successor in interest, or the Attorney for the Claimant.

### Acknowledgment

State of New Jersey, County of Bergen

I certify that on 1/2/20

Joseph Marshall, President of Midway Glass & Metal Installers Inc.

personally came before me and stated to my satisfaction that this person

a. was the maker of this instrument,

b. was authorized to and did execute this instrument as

of Midway Glass & Metal Installers Inc.

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President

the entity named in this instrument and

**Record and Return To**

**Midway Glass & Metal Installers Inc.**

**PO Box 1117**

**Kearny, NJ 07032**

Paula LaChance  
Notary

**PAULA LACHANCE**

ID # 2404740

NOTARY PUBLIC

STATE OF NEW JERSEY

My Commission Expires February 28, 2021

## **EXHIBIT C**

**LOWENSTEIN SANDLER LLP**

Arielle B. Adler, Esq. ([aadler@lowenstein.com](mailto:aadler@lowenstein.com))  
Bruce Buechler, Esq. ([bbuechler@lowenstein.com](mailto:bbuechler@lowenstein.com))  
Joseph J. DiPasquale, Esq. ([jdipasquale@lowenstein.com](mailto:jdipasquale@lowenstein.com))  
Jennifer B. Kimble, Esq. ([jkimble@lowenstein.com](mailto:jkimble@lowenstein.com))  
Kenneth A. Rosen, Esq. ([krosen@lowenstein.com](mailto:krosen@lowenstein.com))  
Mary E. Seymour, Esq. ([mseymour@lowenstein.com](mailto:mseymour@lowenstein.com))  
One Lowenstein Drive  
Roseland, New Jersey 07068  
(973) 597-2500 (Telephone)  
(973) 597-2400 (Facsimile)

*Counsel to the Debtor and  
Debtor-in-Possession*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In re:

**HOLLISTER CONSTRUCTION SERVICES, LLC,<sup>1</sup>**

Debtor.

Chapter 11

Case No. 19-27439 (MBK)

**NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON JANUARY 2, 2020 AT 10:00 A.M. (ET)**

**CONTINUED MATTERS**

1. Herc Rentals, Inc. Motion to Compel Payment of Administrative Expenses [Docket No. 546; Filed 11/20/19]

Related Documents:

- a) Herc Rentals, Inc. Amended Motion to Compel Payment of Administrative Expenses [Docket No. 607; Filed 12/5/19]
- b) Determination of Adjournment Request (Granted) [Docket No. 715; Filed 12/26/19]

Objection Deadline: Originally, December 26, 2019 at 4:00 p.m. (ET). Extended to January 9, 2020 at 4:00 p.m. (ET).

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<sup>1</sup> The Debtor in this chapter 11 case and the last four digits of its taxpayer identification number is: Hollister Construction Services, LLC (5404).

Responses Received:

c) None.

Status: This matter has been adjourned to January 16, 2020 at 10:00 a.m.

2. Debtor's Motion for Entry of One or More Orders Approving Various Settlements and Compromises By and Among the Debtor, Project Owners and Subcontractors Pursuant to Fed. R. Bankr. P. 9019 and Granting Related Relief, with respect to Saxum Real Estate Companies LLC, SAF 40 Beechwood, LLC and Energy Capital Partners Management, LP only [Docket No. 631; Filed 12/11/19]

Related Documents:

- a) Application for Order Shortening Time [Docket No. 632; Filed 12/11/19]
- b) Order Granting Application to Shorten Time [Docket No. 634; Entered 12/12/19]
- c) Affidavit of Service [Docket No. 673; Filed 12/17/19]
- d) Determination of Adjournment Request (Granted) [Docket No. 717; Filed 12/26/19]

Objection Deadline: January 2, 2020 at 4:00 p.m. (ET).

Responses Received:

e) None received to date.

Status: This matter has been adjourned to January 9, 2020 at 10:00 a.m.

**CONTESTED MATTERS GOING FORWARD**

3. First and Final Application for Compensation and Reimbursement of Expenses of The Parkland Group, Inc. [Docket No. 505; Filed 11/14/19].

Related Documents:

- a) Notice of First and Final Fee Application of The Parkland Group, Inc. as Financial Advisor to the Debtor for the Period September 11, 2019 Through October 24, 2019 [Docket No. 506; Filed 11/14/19]
- b) Affidavit of Service filed by Prime Clerk LLC [Docket No. 543; Filed 11/19/19]
- c) Affidavit of Service filed by Prime Clerk LLC [Docket No. 598; Filed 12/03/19]
- d) Affidavit of Service filed by Prime Clerk LLC [Docket No. 623; Filed

12/10/19]

Objection Deadline: December 5, 2019 at 4:00 p.m. (ET).

Responses Received:

- e) Committee's Objection to Final Application for Compensation for Parkland Group Inc. [Docket No. 643; Filed 12/12/19]
- f) Debtor's Reply to the Objection of the Official Committee of Unsecured Creditors to the First and Final Fee Application of the Parkland Group, Inc. As Financial Advisor to the Debtor [Docket No. 711; Filed 12/24/19]

Status: This matter is going forward.

- 4. Motion for an Order (I) Confirming That the Automatic Stay Does Not Apply to (A) the General Contract for the Vestry Project, (B) Joffe Lumber & Supply Co., Inc.'s Entry into a Contract with the Vestry Project Owner to Provide Construction Services on the Vestry Project; and (II) Terminating the Automatic Stay as to Joffe Lumber & Supply Co., Inc. for Cause Pursuant to 11 U.S.C. § 362 (d)(1) in Connection with the Accordia Project [D.I. 248; Filed 10/4/19], with respect to Accordia Project only.

Related Documents:

- a) Certificate of Service filed by Joffe Lumber & Supply Co., Inc. [Docket No. 252; Filed 10/4/19]

Objection Deadline: Originally, October 24, 2019 at 5:00 p.m. (ET).

Responses Received:

- b) Debtor's Objection to Joffe Stay Relief Motion [Docket No. 407; Filed 11/5/19]
- c) Cross Motion of 147 Bloomfield Ave., J.V. Seeking Determination that Joffe Lumber & Supply Co., Inc. Does Not Hold A Perfected Lien Against the Vestry Property and Compelling Discharge of Lien [Docket No. 535; Filed 11/18/19]
- d) Response of Joffe Lumber & Supply Co., Inc. in Opposition to Cross-Motion of 147 Bloomfield Ave., J.V. LLC Seeking Determination That Joffe Lumber & Supply Co., Inc. Does Not Hold a Perfected Lien Against The Vestry Project and Compelling Discharge of Lien [Docket No. 586; Filed 11/27/19]

Status: This matter was originally scheduled for hearing on December 9, 2019 and was adjourned until January 2, 2020. This matter is going forward.



5. Motion of Herc Rentals, Inc. For Entry Of An Order (1) Lifting The Automatic Stay Pursuant To 11 U.S.C. §362 and (2) Permitting Herc Rentals, Inc. To Remove Its Property From Various Projects ("Herc Stay Relief Motion") [Docket No. 368; Filed 10/23/19], with respect to the Latitude, Hub and FDU Projects only.

Related Documents:

- a) Certificate of Service filed by Herc Rentals, Inc. [Docket No. 423; Filed 11/6/19]
- b) Certificate of Service filed by Arch Insurance Company and Arch Reinsurance Company [Docket No. 462; Filed 11/8/19]
- c) Order Granting in Part the Motion of Herc Rentals, Inc. (1) Lifting the Automatic Stay Pursuant to 11 U.S.C. § 362 and (2) Permitting Herc Rentals, Inc. to Remove its Property from Various Projects ("Order Granting Herc's Motion in Part") [Docket No. 704; Entered 12/23/19]
- d) Determination of Adjournment Request (Granted) [Docket No. 685; Filed 12/19/19]

Objection Deadline: Originally, November 8, 2019 at 5:00 p.m. (ET) and extended for the Debtor to November 14, 2019 at 10:00 a.m. (ET)

Responses Received:

- e) Limited Objection And Reservation Of Rights By Arch Insurance Company And Arch Reinsurance Company to Herc Stay Relief Motion [Docket No. 462; Filed 11/7/19]
- f) Debtor's Limited Objection to Herc Stay Relief Motion [Docket No. 503; Filed 11/14/19]

Status: This portion of the Herc Stay Relief Motion was adjourned from the 12/19/19 hearing. The Debtor and Herc are negotiating a resolution of this matter, with the goal of submitting a consent order at or before the hearing.

The portion of the Herc Stay Relief Motion concerning the Rutgers Fuel Tank only was withdrawn under the Order Granting Herc's Motion in Part.

**UNCONTESTED MATTERS GOING FORWARD**

6. Debtor's Motion for Entry of One or More Orders Approving Various Settlements and Compromises By and Among the Debtor, Project Owners and Subcontractors Pursuant to Fed. R. Bankr. P. 9019 and Granting Related Relief, with respect to the 345 Main Street JV Settlement only (the "345 Main 9019 Motion") [Docket No. 649; Filed 12/13/19]

Related Documents:

- a) Application for Order Shortening Time [Docket No. 650; Filed 12/13/19]
- b) Order Granting Application to Shorten Time [Docket No. 662; Entered 12/16/19]
- c) Affidavit of Service [Docket No. 682; Filed 12/18/19]

Objection Deadline: Objections may be presented orally at the hearing.

Responses Received:

- d) None received to date.

Status: This matter is going forward with respect to the 345 Main Street JV Settlement only.

7. Debtor's Motion for Entry of an Order Approving the Settlement and Compromise By and Among the Debtor and Newkirk Realty Urban Renewal LLC Pursuant to Fed. R. Bankr. P. 9019 and for the Rejection of Certain Executory Contracts [Docket No. 675; Filed 12/18/19]

Related Documents:

- a) Application for Order Shortening Time [Docket No. 676; Filed 12/18/19]
- b) Order Granting Application to Shorten Time [Docket No. 677; Entered 12/18/19]
- c) Affidavit of Service [Docket No. 708; Filed 12/23/19]

Objection Deadline: Objections may be presented orally at the hearing.

Responses Received:

- d) None received to date.

Status: This matter is going forward.

8. Debtor's Motion for Entry of an Order Determining that Certain Creditors Have Violated the Automatic Stay, That Certain Liens Filed Post-Petition Are Void *Ab Initio*, and For Related Relief [Docket No. 692; Filed 12/20/19]

Related Documents:

- a) Application for Order Shortening Time [Docket No. 693; Filed 12/20/19]
- b) Order Granting Application to Shorten Time [Docket No. 694; Entered 12/20/19]
- c) Affidavit of Service [Docket No. 718; Filed 12/27/19]

Objection Deadline: Objections may be presented orally at the hearing.

Responses Received:

- d) None received to date.

Status: This matter is going forward.

9. Debtor's Motion for Entry of An Order Approving of (I) a Settlement Agreement By and Among the Debtor and Mercedes-Benz, LLC, and to Reject Certain Agreements, (II) A Settlement Agreement with Mid-Atlantic Mechanical, Inc.; and (III) Granting Related Relief [Docket No. 705; Filed 12/23/19]

Related Documents:

- a) Application for Order Shortening Time [Docket No. 706; Filed 12/23/19]
- b) Order Granting Application to Shorten Time [Docket No. 707; Entered 12/23/19]
- c) Affidavit of Service [Docket No. 720; Filed 12/27/19]

Objection Deadline: Objections may be presented orally at the hearing.

Responses Received:

- d) None received to date.

Status: This matter is going forward.

Dated: December 30, 2019

**LOWENSTEIN SANDLER LLP**

/s/ Kenneth A. Rosen

Kenneth A. Rosen, Esq.

Bruce Buechler, Esq.

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